

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS**

**Call to Order:** CHAIRMAN JOE BALYEAT, on January 21, 2009 at 9  
A.M., in Room 422 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Joe Balyeat, Chairman (R)  
Sen. Verdell Jackson, Vice Chairman (R)  
Sen. Gregory D. Barkus (R)  
Sen. Roy Brown (R)  
Sen. Jim Keane (D)  
Sen. Donald J. Steinbeisser (R)  
Sen. Sharon Stewart-Peregoy (D)  
Sen. Joseph (Joe) Tropila (D)  
Sen. Jonathan Windy Boy (D)

**Members Excused:** Sen. Jim Peterson (R)  
Sen. Carolyn Squires (D)

**Members Absent:** None.

**Staff Present:** Linda Keim, Committee Secretary  
Pat Murdo, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 195, 1/14/2009

Executive Action: SB 137, SB 138, SB 207, SB 60, SB  
134, SB 161

**HEARING ON SB 195**

**Opening Statement by Sponsor:**

00:02:04 SEN. JONATHAN WINDY BOY (D), SD 16, opened the hearing  
on SB 195, Ban credit scoring on auto insurance.  
[EXHIBIT \(bus14a01\)](#)

**Proponents' Testimony:**

00:08:43 Eve Franklin, Advisor to office on Health and Family  
Issues, Governor's Office  
00:10:25 Sen. Sharon Stewart-Peregoy, HD 21

**Opponents' Testimony:**

00:13:11 Greg Van Horssen, State Farm Insurance Company  
00:18:56 Jacqueline Lenmark, American Insurance Association  
[EXHIBIT \(bus14a02\)](#)  
00:27:08 Bruce Spencer, Property Casualty Insurers Association  
00:33:17 Jon Metropoulos, Farmers Insurance Group  
00:37:00 Jane Hamman, AAA Mountain West  
00:38:09 Mona Jamison, All State Insurance Company  
00:41:20 Bob Biscupiak, Independent Insurance Agents of Montana  
00:42:39 Brian Koleman, Farmers Insurance Agent  
[EXHIBIT \(bus14a03\)](#)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:46:21 Sen. Jackson  
00:47:21 Mr. Koleman  
00:47:39 Sen. Brown  
00:50:36 Ms. Lenmark  
00:51:25 Sen. Brown  
00:51:46 Mr. Koleman  
00:51:56 Sen. Keane  
00:54:52 Mr. Van Horssen  
00:56:24 Chairman Balyeat  
00:56:35 Mr. Van Horssen  
00:56:57 Chairman Balyeat  
01:00:15 Ms. Lenmark  
01:00:59 Jessica Rhoades, State Auditor's Office  
01:01:32 Chairman Balyeat

**Closing by Sponsor:**

01:02:15 Sen. Windy Boy

01:06:41 Recess  
01:18:55 Reconvene

**EXECUTIVE ACTION ON SB 137**

01:19:40 **Motion/Vote:** Sen. Keane moved to **TABLE SB 137**. Motion carried unanimously by voice vote, 11-0. Sen. Brown, Sen. Squires, Sen. Peterson, and Sen. Windy Boy voted by proxy.

01:20:45 Sen. Brown entered the room.

**EXECUTIVE ACTION ON SB 138**

01:21:18 **Motion/Vote:** Sen. Keane moved to **TABLE SB 138**. Motion carried unanimously by voice vote, 11-0. Sen. Squires, Sen. Peterson, and Sen. Windy Boy voted by proxy.

**EXECUTIVE ACTION ON SB 161**

01:22:54 **Motion:** Sen. Barkus moved **SB 161 DO PASS**.

**Discussion:**

01:23:31 Sen. Barkus  
01:23:37 Chairman Balyeat  
01:24:04 Sen. Barkus  
01:24:17 Sen. Keane  
01:24:25 Ms. Murdo  
01:24:29 Sen. Brown  
01:24:45 Sen. Tropila  
01:25:24 Chairman Balyeat  
01:25:53 Ms. Murdo

01:26:13 **Vote:** Motion carried by voice vote, 10-0. Sen. Windy Boy, Sen. Peterson, and Sen. Squires voted by proxy. Sen. Balyeat abstained from voting.

01:27:02 Sen Windy Boy entered the room.  
01:27:31 Chairman Balyeat

**EXECUTIVE ACTION ON SB 207**

01:27:36 **Motion:** Sen. Steinbeisser moved **SB 207 DO PASS**.

**Discussion:**

01:27:50 Sen. Barkus  
01:28:18 Sen. Jackson

01:28:46 Sen. Steinbeisser

01:28:52 Chairman Balyeat

01:29:04 **Vote:** Motion failed 2-9 by roll call vote. Sen. Stewart-Peregoy and Sen. Windy Boy voted aye. Sen. Peterson and Sen. Squires voted by proxy.

01:29:55 **Motion/Vote:** Sen. Jackson moved that **SB 207 BE TABLED AND THE VOTE REVERSED.** Motion carried.

**EXECUTIVE ACTION ON SB 134**

01:31:53 **Motion:** Sen. Windy Boy moved **SB 134 DO PASS.**

**Discussion**

01:32:18 Sen. Keane

01:32:45 Sen. Barkus

01:33:07 **Substitute Motion/Vote:** Sen. Brown moved to **TABLE SB 134.** Motion carried unanimously by voice vote, 11-0. Sen. Squires and Sen. Peterson voted by proxy.

01:34:32 Chairman Balyeat

**EXECUTIVE ACTION ON SB 60**

01:34:40 **Motion:** Sen. Barkus moved to **TABLE SB 60.**

01:35:18 Sen. Barkus withdrew his motion.

01:35:26 **Motion:** Sen. Keane moved **SB 60 DO PASS.**

**Discussion:**

01:35:37 Sen. Barkus

01:35:50 Sen. Keane

01:37:02 **Vote:** Motion failed 5-6 by roll call vote. Sen. Brown, Sen. Squires, Sen. Stewart-Peregoy, Sen. Tropila, and Senator Windy Boy voted aye. Sen. Peterson and Sen. Squires voted by proxy.

01:38:00 **Motion/Vote:** Sen. Barkus moved that **SB 60 BE TABLED AND THE VOTE REVERSED.** Motion carried.

**ADJOURNMENT**

Adjournment: 10:40 A.M.

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LINDA KEIM, Secretary

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Additional Exhibits:

**EXHIBIT ([bus14aad.pdf](#))**